



Kansas Racing and Gaming Commission
700 SW Harrison, Suite 500, Topeka, Kansas 66603
(785) 296-5800, Fax (785) 296-0900

AMENDED AGENDA
(Amended Items in Bold)
KANSAS LOTTERY GAMING FACILITY REVIEW BOARD

10:00 a.m., Wednesday, September 15, 2010
Via telephone conference: 1-866-337-0425 (Conference ID#99828287)

- A. CALL TO ORDER
- B. APPROVAL OF THE AGENDA
- C. BOARD ITEMS
 - 1. Selection of Lottery Review Board Consultant to analyze ancillary development
 - Board Action:* Review, discussion and possible action
 - Staff Presentation:* Patrick Martin, Interim Executive Director
 - a. [Staff Memo](#)
 - b. [Premier Gaming Macomber International Proposal](#)
 - 2. Review Board Schedule
 - Board Action:* Review, discussion and possible action
 - Staff Presentation:* Jay Hall, Review Board Liaison
 - a. [Staff Memo](#)
- D. STAFF REPORTS
 - 1. Executive Director
 - 2. Review Board Liaison
- E. OTHER MOTIONS
- F. ADJOURNMENT



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STAFF AGENDA MEMORANDUM

DATE OF MEETING: September 15, 2010

AGENDA ITEM: **Select consultant to analyze ancillary development**

PRESENTER: Patrick Martin, Interim Executive Director

ISSUE SUMMARY: The Review Board requires expert advice to evaluate the “best possible” casino management contract. Among several discrete topics, the Board has previously received advice on casino proposals’ ancillary developments. Accordingly, the Review Board directed staff to identify a qualified consultant to help analyze the ancillary developments in the current South Central zone’s proposals.

Staff has considered two possible ancillary development consultants and offers Macomber International, Inc. with Dean Macomber as its primary consultant. Macomber International’s proposal is attached.

BOARD ACTION REQUIRED/REQUESTED: Staff recommends approving Macomber International, Inc. as the ancillary operations consultant and allowing staff to negotiate a contract with Macomber International, Inc.

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Sent by E-mail Only

September 9, 2010

Patrick D. Martin
Interim Executive Director, Assistant Attorney General
Kansas Racing & Gaming Commission
700 SW Harrison, Suite 500
Topeka, KS 66603-3754

**Re: Proposal for Macomber International, Inc.
to Assist the Kansas Lottery Gaming Facility Review Board's
Evaluation of Applications for the South Central Gaming Zone
With Respect to Ancillary Development**

Dear Mr. Martin:

Macomber International, Inc. ("MI") is pleased to respond to the Kansas Lottery Gaming Facility Review Board's ("KLGFRB") request to assist it with the evaluation of applicant submissions for the South Central Gaming Zone. MI understands that the KLGFRB seeks MI to focus on the ancillary development aspects of these submissions.

While this proposal by MI ("Proposal") constitutes a formal and final proposal, please be aware that Dean M. Macomber, Founder and President of MI returned to his office late September 7, 2010 after being out of the country for a period of time. Consequently, MI has not had the time MI prefers to take to thoroughly research and prepare a bid for an engagement as important as this. However, it is also this same importance and complexity that captures MI's interest and motivates this quick turnaround response. It is also Mr. Macomber's 35^{plus} years in all aspects of the gaming industry – including numerous domestic and international engagements involving the conceptualization, programming, right-sizing, configuration and design, and capitalization of gaming-centric projects so that they optimize the opportunity for all stakeholders – that gives MI confidence it can meet and exceed the full expectations of the KLGFRB despite the short review period.

Since MI has not been sent any formal Request for Proposal or other terms and conditions, this Proposal is MI's "best guess" of what the KLGFRB seeks in terms of a qualified gaming expert to assist it with evaluating the ancillary development portion of applicant submissions. As a consequence MI has structured this Proposal and asks the KLGFRB to consider it as a general approach and template that can be refined if needed to better respond to KLGFRB expectations. In other words, MI's participation in the review process is still flexible and open to discussion.

1.0. ASSUMPTIONS

This Proposal was based on the following assumptions:

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Proposal to Review Ancillary Development Submittals by South Central Zone Applicants September 9, 2010

- 1.1. The Kansas Lottery Commission “KLC: is charged with seeking and selecting developer/operators for casino-centric projects as proscribed by Kansas gaming statutes.
- 1.2. In turn, the KLC constituted the KLGFRB to help administer the solicitation and review process.
- 1.3. The Kansas gaming statute proscribes casinos in certain zones. The applicant review process for certain zones has already been completed or is already in progress. The current zone for which a developer/operator is being sought is the South Central Gaming Zone.
- 1.4. The KLGFRB engages internal and third-party consultants to assist with the solicitation and review process. One area of expertise for which a third-party resource is being sought deals with the ancillary (i.e., non-gaming) development aspects of the proposal.
- 1.5. The objectives of the Kansas gaming statute are: (1) to maximize revenues for the State, (2) promote tourism and, (3) for the ensuing project to serve the overall best interest of the State of Kansas.¹
- 1.6. Your August 31, 2010 E-mail indicated that the KLGFRB has received three applicants: Global Gaming Solutions, Harrah’s, and Peninsula Gaming. Since receiving this E-mail, certain news articles have indicated that Harrah’s Entertainment has withdrawn its application for the South Central Zone.² MI has drafted this Proposal assuming that there might be two or three applicants and applicant submissions to review.

2.0. STATEMENT OF QUALIFICATIONS AND STAFFING

Macomber International, Inc. provides gaming-centric executive level consulting services around the world. Its founder, president, and sole employee is Mr. Dean M. Macomber. Mr. Macomber has been in the gaming industry for over 35 years working for gaming companies as well as a consultant for a public accounting firm specializing in Leisure Time Consulting Services (Laventhol & Horwath) and as an independent consultant since 1996. Mr. Macomber has also held positions ranging from Dealer to President, participated in the opening of 7 casinos and 2 takeover/acquisitions, worked in Las Vegas, Nevada and Atlantic City as well as consulted/worked in various venues in Canada, South America, the Caribbean, Europe, Australia, and Asia. He has participated in all aspects of the business cycle with projects ranging from 400-unit locals’ casinos to multi-billion dollar mega/meta integrated resorts positioned to serve local, regional, domestic, and international markets at all ends of the value chain ... from mass market to the proverbial ‘high roller.’ Such projects have included highly gaming oriented operations (i.e., non-gaming amenities exist for all intents and purposes only to serve gaming customers) to more balanced projects where gaming and non-gaming activities independently but

¹ Paraphrased from Raving Consultant Company’s “Raving Consulting Company Proposal for Kansas Lottery Gaming Facility Review Board” dated May 2009 made publicly available.

² Las Vegas Review Journal, 9/9/10, “In Brief” ... <http://www.lvrj.com/business/in-brief-102517729.html>

synergistically generate a more balanced, 50:50 profit contribution to resort destinations where gaming is a minor amenity and not the primary reason for the patron's visit.

Owners and clients have ranged from private entrepreneurs to public traded companies as well as government owners, i.e., provincial Canadian owners in Quebec and Ontario as well as a multitude of Native American owner/operators. In some of these instances capitalistic drivers dominated the goal set (e.g., profit or earnings) while in others jobs, strategic business growth, business incubation, income to the government owner, and general benefit to the community/economy were as important if not more important considerations.

With respect to the role of ancillary development, MI has participated in all development phases of a multitude of casino projects: concept, programming, design, funding, bidding/securing approvals, pre-opening, immediate post-opening optimization/maximization, longer term improvement/growth, and harvest/monetize phases. All such activity included the constant process of identifying the optimal³ mix of gaming, non-gaming, and support activities that extracted the full commercial opportunity from the marketplace. Translated, this means providing the best gaming, leisure, and entertainment value to consumers in potential feeder markets both independently but also in recognition of what current and future competition may exist or develop. Of late, as a collateral effect of the Financial Crisis, such deliberations must also have strongly considered capital realities, i.e., the ability to secure funding for the project at acceptable terms and conditions. Likewise – again a collateral effect of the Financial Crisis – such deliberation has more proactively and affirmatively than ever before taken into consideration risk management, i.e., embedding flexibility into the project in order to enable the project to react to an unprecedented number of current and future unknowns.

MI has worked independently with Mr. Macomber acting as the sole resource but due to MI's extensive network, MI also has engaged additional resources (as many as 35 other consultants) when and needed to formulate a virtual consulting Team custom fitted to the requirements of a given engagement.

Mr. Macomber holds a masters degree from the School of Hotel Administration at Cornell University and an undergraduate degree in Business/Marketing from California State College at San Jose. He has authored 14 articles on a variety of gaming subjects and made over 65 gaming presentations around the world including teaching college level courses on casino gaming.

Please see Mr. Macomber's full resume submitted with this Proposal for additional detail regarding his experience and skill set.

³ MI prefers "optimal" versus "maximum" in order to take into account risk, i.e., the maximum capacity and investment that the Marketplace might support differs from the risk-adjusted optimal mix that refines the maximum opportunity commensurate with acceptable risk parameters as established by the owners and stakeholders.

3.0. APPROACH

MI's approach to evaluating ancillary development is founded on what MI believes to be the core gaming product, i.e., what casinos "sell" and consumers come to "buy" is an experience.

Depending upon the market or more accurately the targeted market segment, the primary motivation for the trip (or purchase) may be a pure gaming experience wherein non-gaming activities play either a utility, supportive role (e.g., a place to park their car or the need to satisfy hunger) or a complimentary role (e.g., "I have finished gambling and now I feel like a great dinner and a glass of wine to relax"). In many venues and/or target market segments, however, gaming may be a secondary, tertiary, or even incidental motivation for the trip. For example, a visitor may be a more casual gambler seeking a dining, lounge, or entertainment experience where the visit is considered a complete gaming-centric but entertainment package. For others, the visitor may view the trip as a leisure experience of which gaming is a part but relaxing by the pool, playing a round of golf, shopping, or attending a show are activities equally important. For still others, they may be visiting a casino complex to attend a meeting, convention, or exhibition. After these responsibilities are completed they may find themselves wandering through the casino and impulsively choosing to play a slot machine "for the fun of it" thus embellishing their visit. For casinos that serve local/regional communities, entire families may visit casino complexes that have movie theaters, bowling alleys, arcades, supervised day care, and special events that provide something for each age group. Gaming has evolved into multiple dimensions wherein gaming may be the sole, supportive, ancillary, or incidental reason for patronage.

Likewise, from the owner, operator, and stakeholder's perspective, gaming may be the dominant, virtually independent marketing and profit engine for a given project or, in other situations, gaming may be more reliant on synergistic non-gaming activities to generate casino players and/or serve already dedicated players. In either scenario, it is also possible that non-gaming activities can be justified as independent profit centers, not relying on casino players for success but benefiting from having them available. And, like the consumer, there may be owners for whom gaming is but one piece of an overall resort or mixed use real estate development but not the dominant or even major element.

Various dynamics determine what is potentially possible among these matrices of consumer/owner possibilities. Gaming development has become so varied, large, and in some cases complex, that there may be multiple development scenarios that lead to sustainable success. Having participated in or observed hundreds of casinos around the world, MI has come to conclude that it is the Sum of the Parts that often dictate the sustainable success of a gaming project. One must be careful of so called Development Axioms that ostensibly apply to all venues, all projects. Equally so, one must be careful of decrying a project based upon one element rather than evaluating all elements in combination. And, given the evolving, innovative, and creative nature of gaming, leisure, and entertainment there is always something new that might work as a catalyst that grabs the hearts, minds, and pocketbook of the consumer. In this

context, it should be noted that not all of the elements that produce and deliver the gaming and non-gaming experience have to do with bricks-and-mortar execution. Indeed, the softer aspects of operations, service, and employee contact not to mention marketing programs and X-Factors (e.g., becoming known as the “hip” place to see and be seen) can play a large or even greater role in aligning a gaming project to the marketplace.

In order to review all of the holistic elements that contribute to a gaming project’s success, MI will review both the tangible, quantitative, and “hard” aspects of an applicant’s submission as well as the intangible, qualitative, and “softer” elements. MI will review each activity in isolation but also in terms of how each interacts and contributes with the other. MI will assess how each non-gaming activity benefits gaming but also how gaming benefits each non-gaming activity and how each non-gaming activity might be exist independent of gaming. And, consistent with MI’s description above, MI will seek to understand the applicants overall business plan to include operations, marketing, and other contributory initiatives.

MI’s assessment will consider the project “in isolation” but also in the context of other possible gaming and non-gaming competition. Such assessment will be made in the context of the assumed goal set established by the State: maximizing revenues to the State, promotion of tourism, and serving the best overall interests of the State.

In this effort, MI expects to benefit greatly from the inputs, outputs, and dialogue with other resources the KLGFRB employs. MI expects to have access to raw market data (e.g., demographics, psychographics) as well as supply and demand data (historical, current, and projected future), financial projections, and other data generated by other third-party resources. Whatever is missing, MI will attempt to generate independently within the timeframe and fee constraints established by and agreed to with the KLGFRB.

4.0. DELIVERABLES

When MI has completed its review, analysis, and evaluation, MI will be able to provide the KLGFRB with both an independent assessment of each applicant’s proposal as well as an evaluation (compare and contrast, pro and con) on a relative basis between the applicant proposals. MI deliverables will include:

- 4.1. **MINIMUM ‘MARKETING’ REVIEW:** A ‘marketing’ assessment that evaluates the marketing efficacy of the concept, programming (i.e., activity mix, capacity, positioning), value propositions (raw price and price-value relationships), configuration, design, delivery/service levels, other operational commitments, demand-stimulation strategies/tactics (e.g., press/public relations, promotions, special events (invitation only and public), group sales, use of third parties (travel agents, wholesalers, and meeting

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organizers), employees-as-marketers initiatives, loyalty/database/CRM programs, and gaming-centric initiatives (e.g., hosts, perquisites, complimentaries, credit, satellite offices, and third-party representatives). Such review will include what is described in the applicant's proposal as well as what may be missing.

- 4.2. **OPTIONAL – JOB CREATION:** It is unclear to MI whether MI is expected by the KLGFRB to review and/or independently project the number of jobs that the applicant's non-gaming activities would create. MI is capable of reviewing and/or independently projecting staffing levels but the fees for doing so will be listed separately in case the KLGFRB has asked another third-party resource to undertake this task.
- 4.3. **OPTIONAL – FINANCIAL PERFORMANCE:** It is also unclear whether MI is expected by the KLGFRB to review and/or independently project the financial performance of the applicant's non-gaming activities. Here again, MI is capable of reviewing and/or independently projecting financial performance of ancillary activities but the fees for doing so will be listed separately in case the KLGFRB has asked another resource to undertake the task.
- 4.4. **MINIMUM WRITTEN REPORT:** At a minimum, MI will submit a cryptic PowerPoint, more bullet point format summary of its review and evaluation.
- 4.5. **OPTIONAL FULL WRITTEN REPORT:** Optionally, MI is willing and able to prepare a full written report explaining its methodology, recapitulating MI's review in some detail, listing MI's conclusions, and stating/defending MI's conclusions. MI will propose an additional fee for such work in the Compensation Section of this Proposal.
- 4.6. **MINIMUM 'ORAL' PRESENTATION:** At a minimum, MI will make one formal presentation of its review, evaluation, and conclusion.
- 4.7. **OPTIONAL ADDITIONAL ORAL PRESENTATIONS:** MI is willing and able to make additional oral presentations but for additional fees.
- 4.8. **MINIMUM REVIEW BOARD MEETINGS:** Consistent with your 9/1/10 E-mail, this proposal contemplates two Review Board Meetings.
- 4.9. **OPTIONAL ADDITIONAL REVIEW BOARD MEETINGS:** MI is willing and able to attend additional Review Board Meetings and/or participate in additional conference calls for additional fees as outlined in the Compensation Section of this Proposal.
- 4.10. **OTHER WORK NOT INCLUDED IN THIS PROPOSAL:** MI is willing and able to undertake other work not described in this Proposal for additional fees as mutually agreed upon.

5.0. COMPENSATION AND REIMBURSABLES

5.1. FEE COMPENSATION

Without having a solid grasp on expectations, MI has structured its compensation for this Proposal based upon time spent and a billable hourly rate. MI's standard billable rate is \$400 per

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hour. MI typically provides its clients with what amounts to a volume discount to its standard billable rate. Not knowing how many billable hours will result from this engagement in advance, MI will nevertheless still stipulate that its standard billable rate will be decreased to \$380 for the first 80 hours, \$360 per hour for any work over 80 hours, and \$320 per hour for any work over 120 hours.

MI is willing to place a maximum limit on each major deliverable ("Maximum Limit") but under the condition that MI will structure its work plan once into the engagement so that the billable time multiplied by the billable rate does not exceed the Maximum Limit for each deliverable or in combination of all deliverables by more than 10 percent. To be clear, this means MI will conform its work to meet the Maximum Limit rather than complete the work to MI's satisfaction regardless of the time spent. To avoid misunderstandings in progress, if MI feels that there are any compromises involved in adhering to the Maximum Limit in terms of quantity, quality, or relevance of the final work product to KLGFRB expectations it will bring such discrepancies to the KLGFRB's attention to determine if a revised fee can be agreed upon so that a condition of "no compromise" or an agreed upon compromise is mutually acceptable.

Based upon the above fee structure, see Table 1 for a presentation of possible fee outcomes.

5.2. EXPENSE REIMBURSEMENT

Your 9/1/10 indicates that there would be two Review Board meetings. MI estimates the cost per trip as follows:

Round trip, coach class air fare between Las Vegas, Nevada and Topeka, Kansas	\$ 500
Business class hotel accommodations, two nights per trip at \$125 per night	\$ 250
Food and beverage per diem, 2.5 days at \$75 per day	\$ 175
Miscellaneous out-of-pocket costs (e.g., Las Vegas parking, Topeka ground transportation, tips, etcetera), 2.5 days at \$25 per day	\$ 60
Total per trip	\$ 985
Rounded per trip average	\$1,000
... times two Review Board Meetings	X 2
Expenses for engagement	<u>Approx. \$2,000</u>

All expenses will be submitted with an expense report detailing expenditures and providing receipts when received.

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Table 1
POTENTIAL FEE OUTCOMES
(See above text for bases of calculations)

Work task and/or deliverable	Additional Hrs.		Cum. Hrs.	Fee as Budgeted	Max. Limit
	If 2 sub- missions	If 3 sub- missions			
MINIMUM ... billed at ‘scaled’ rate					
Review Kansas gaming statutes, other applicable info	8	8	8	\$ 3.0K to \$ 3.0K	\$ 5.0K to \$ 5.0K
Review prior Zone submittals and 3 rd party resource reports ... ancillary activity and related subjects only	16	16	24	\$ 6.1K to \$ 6.1K	\$10.0K to \$10.0K
Review entire applicant submissions	16	24	40 to 48	\$ 6.1K to \$9.1K	\$7.5K to \$10.0K
4.1. ‘Marketing’ Review and Project Evaluation	48	72	88 to 120	\$18.1K to \$26.6K	\$20.0K to \$30.0K
4.4. Written Report	24	36	112 to 156	\$ 8.6K to \$11.5K	\$10.0K to \$15.0K
4.6. One Oral Presentation ... preparation plus delivery	16	20	128 to 176	\$ 5.4K to \$ 6.4K	\$ 7.5K to \$10.0K
4.8. Minimum Two Review Board Meetings @ 2 days each	16	16	144 to 192	\$ 5.1K to \$5.1K	\$7.5K
TOTAL MINIMUM				\$52.5K to \$67.8K	\$67.5K to \$87.5K
Weighted average hourly rate ...				\$364 to \$353	
OPTIONAL ... all billed at marginal \$320 per hour rate					
4.2. Job Creation	16	24		\$5.0K to \$7.7K	\$10.0K to \$12.5K
4.3. Financial Performance	24	36		\$7.7K to \$11.5K	\$12.5K to \$15.0K
4.5. Full Written Report	16	16		\$5.1K	\$10.0K
4.7. Additional Oral Presentations (each)	8	8		\$2.6K	\$ 5.0K
4.9. Additional Review Board Meetings (each w/prep time)	12	12		\$3.8K	\$ 5.0K
4.10. Additional Work Not in Proposal	unk	unk		\$320 per hour	n.a.

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5.3. TOTAL ESTIMATED FEE COMPENSATION AND EXPENSE REIMBURSEMENT

Recapping, MI forecasts its estimated fee compensation and expense reimbursement based upon the assumptions, work plan, deliverables, fee structure, and expense reimbursement expectations described above as follows:

	<u>TWO APPLICANT SUBMISSIONS</u>	<u>THREE APPLICANT SUBMISSIONS</u>
MINIMUM FEE COMPENSATION	\$52,500	\$67,800
ESTIMATED REIMBURSABLE EXPENSES	<u>2,000</u>	<u>2,000</u>
TOTAL MINIMUM FEE + REIMBURSABLES	<u>\$54,500</u>	<u>\$69,800</u>

Note that actual Minimum Fee will be based on actual time worked times the hourly rate structure proposed. Accordingly, if the work plan and deliverables is completed in less time than budgeted, the actual time spent will be billed. The maximum fee billed will be as described in 5.1 above up to the limits recapped below.

MAXIMUM LIMIT (see Section 5.1)	\$67,500	\$87,500
ESTIMATED REIMBURSABLE EXPENSES	<u>2,000</u>	<u>2,000</u>
TOTAL MINIMUM FEE + REIMBURSABLES	<u>\$69,500</u>	<u>\$89,500</u>

Optional tasks and deliverables will be billed at the \$320 marginal rate times time spent.

OPTIONAL TASKS AND DELIVERABLES:	See Table 1	See Table 1
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6.0. OTHER AGREEMENT CONDITIONS

MI will respectfully also request certain other terms and conditions to be made part of the agreement between MI and the Kansas Lottery or KLGFRB. These will include but not necessarily be limited to the following (a cryptic summary of content is provided to illustrate what is requested):

6.1. PAYMENTS

MI respectfully requests a retainer of 33% of the forecast minimum fee be paid to MI upon execution of the agreement. Monthly invoices will be submitted based upon time worked and the applicable hourly rate as set forth in the agreement. Expense reimbursement will be submitted after each trip or if expenditures exceed \$1000. All fee and expense reimbursements

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will be paid with ten (10) business days of receipt of invoice. Payments will be made to Macomber International, Inc. preferable by wire transfer to MI's bank. MI will provide the KLGFRB with wire transfer instructions.

6.2. LIMITED USE

The content of MI's written and oral work product is for the sole and exclusive use of the KLGFRB in conjunctions with its review of casino license applications for the South Central Zone. Any other use of MI's written and oral work product must be approved in advance by MI.

6.3. CONFIDENTIALITY

Given the Limited Use condition (6.2. above), MI's written and oral work product may not be reproduced or verbally shared outside of the KLGFRB review process for the South Central Zone. In no event may MI's written or oral work product be quoted without MI's prior written consent. In no event may MI's written or oral work product be used by the KLC, KLGFRB, an applicant, or any other entity to raise funds or financing without MI's prior written consent. To the extent MI's written or oral work product is presented by the KLC or KLGFRB in public or on public sites (e.g., KLC or KLGFRB websites), such limited use, confidentiality, and disclaimers will be prominently displayed and declared.

6.4. INDEMNIFICATION

The KLC and KLGFRB will indemnify and hold harmless MI from any claims, liabilities, losses, damages, or expenses associated with MI's participation in the agreement with KLGFRB. The KLC and KLGFRB agree not to settle any claim, liability, loss, damage, or expense reimbursement without the prior written agreement of MI unless such settlement includes an unconditional release of MI from any such damages. In such instance, MI will be provided a copy of the unconditional in advance so that it may review and approve the release. The KLC and/or KLGFRB agree to pay and/or reimburse MI for defending against any such damage claims. Regardless, if a claim is found against MI, the limit of MI's liability will be the fees received under this agreement with the KLC and/or KLGFRB being responsible for any remainder.

6.5. TERMINATION

Each of MI or KLGFRB may terminate this agreement with five days written notice. If KLGFRB terminates the agreement any fees earned and expenses incurred up to and including the termination date by MI will be reimbursed according to the Fee Compensation and Expense Reimbursement provisions of this agreement.

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Other legal terms such as notice, severability, and applicable law may be determined by KLGFRB consistent with good contract drafting principles beneficial to both parties.

Either MI or the KLGFRB may draft the final agreement and submit to the other for review and signature.

* * *

Given the short reaction and preparation time, MI is available and willing to discuss all of the above assumptions, work plan, deliverables, fee compensation/expense reimbursement, and other terms and conditions as proposed above particularly if MI has misunderstood what is expected, acceptable, or reasonable. Dean Macomber is available any time of the day, day of the week to discuss such changes.

MI is honored to be considered for this important task and responsibility. Thank you for the opportunity.

Sincerely,

Dean M.

Macomber

Founder and President
Macomber International, Inc.

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Appendix

RESUME

DEAN. M. MACOMBER

Submitted separately as a
Microsoft Word file.



Kansas Racing and Gaming Commission
700 SW Harrison, Suite 500, Topeka, Kansas 66603
(785) 296-5800, Fax (785) 296-0900

STAFF AGENDA MEMORANDUM

DATE OF MEETING: September 15, 2010

AGENDA ITEM: **Review Board Schedule**

PRESENTER: Jay Hall, Review Board Liaison

ISSUE SUMMARY: During the first two application rounds, the Review Board has used a four-meeting schedule to consider each zone's submissions.

Meeting 1: Gaming zone visit – Sumner County

- Applicant proposal presentations, with questions from the board
- Kansas Lottery Commission presentation, with questions from the board
- Public Comments

Meeting 2: Expert presentations - Topeka

- Presentations by the Review Board panel of consultants
- Applicant responses

Meeting 3: Conference call

- Follow-up questions to applicants, applicant experts, board consultants and staff

Meeting 4: Final Selection – Topeka

- Follow-up reports, if any, from applicants, applicant experts, board consultants and staff
- Applicants' final statements
- Background and security fitness reports
- Vote

Staff recommends that the Review Board discuss this format and determine whether this or some other schedule be used for this round of application review.

COMMISSION ACTION REQUIRED/REQUESTED: Adopt a meeting format.

STAFF RECOMMENDATIONS: Staff recommends the four meeting format outlined above.